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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,823	11/17/2003	Claire Svetlana Vishik	1033-T00468	2178
60533 7590 08/06/2008 TOLER LAW GROUP 8500 BLUFFSTONE COVE SUITE A201 AUSTIN, TX 78759				
EXAMINER BAIRD, EDWARD J				
ART UNIT 3693		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/714,823

Applicant(s)

VISHIK, CLAIRE SVETLANA

Examiner

EDWARD BAIRD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 5, 7, 9, 16, 18, 19, 27 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8, 10-15, 17, 20-26, 28 and 30-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant has amended claims 1 – 33 in this application. No new claims have been added. Claims 5, 7, 9, 16, 18, 19, 27, and 29 have been cancelled. Claims 1, 4, 6, 8, 11 - 13, 15, 20, 23, 24, 26 and 31 have been amended. Thus, claims 1 – 4, 6, 8, 10 – 15, 17, 20 – 26, 28, and 30 – 33 remain pending and are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 May 2008 has been entered.

Response to Arguments

3. Applicant's arguments and amendments filed on 22 May 2008, with respect to rejections of claims 1 – 4, 6, 8, 10 – 15, 17, 20 – 26, 28, and 30 – 33 rejected under 35 U.S.C. 103(a), have been fully considered.

4. Examiner notes that in Applicant's Remarks section, page 12 of 17, under item III, Applicant states the claim 3 has been canceled without prejudice or disclaimer. Examiner notes that claim 3 in Claim Amendments, page 3 of 17, is shown as "previously presented", neither canceled nor amended. Examiner also notes that claim 3 was not rejected using **Zimmer et al** (USPub. No. 2003/0051226) reference, in contrast to what Applicant has stated therein. For purposes of examination, Examiner will

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disregard statement that claim 3 has been canceled. Telephone conversation on 24 July 24, 2008 with Samuel Epstein of Toler Law Group concurred.

5. Applicant's other arguments and amendments filed on 22 May 2008, with respect to rejections of claims 1 – 4, 6, 8, 10 – 15, 17, 20 – 26, 28, and 30 – 33 rejected under 35 U.S.C. 103(a), have been fully considered but are moot necessitated by amendment.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. **Claims 4, 15, and 26** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite a first link to question a line item, a second link to dispute and a third link to correct the line item. The specification does not connect questioning, disputing and correcting together [see Applicant's specification 0024 to 0026 with Figure 3, and 0027 to 0029 with Figure 4].

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 10 - 12, 20, 21 - 23, and 30 - 33 are rejected under 35 U.S.C. 102(e)

as being anticipated by **Richey et al** (US Pub No. 2003/00233292)

10. Regarding **claims 1, 12, and 23, Richey** teaches a method comprising:

- sending a device type to a network element from a user device [0137];
- receiving, at the user device, a line-by-line user interface from the network

element, the line-by-line user interface including; multiple user-selectable links to multiple destinations for multiple question types per line item. wherein the line-by-line interface is based at least partially on the device type [0045];

- presenting the line-by-line user interface, the line-by-line user interface enabling a user to **question** individual line items in a transaction via the line-by-line user interface [see at least 0028 and Figure 5]. Examiner notes that Figure 5 is an example of a display which is analogous to Applicant's **line-by-line user interface**;

- receiving a user input questioning at least one of the individual line items [see at least 0027, 0048, 0129, 0146]; and

- sending data based on the user input to the network element for routing to a destination based on an input type of the user input [see at least 0137]. Examiner notes that communicating with parties through certain interfaces, such as, email, fax, and other type of gateway device as indicative of Applicant's routing to a destination based on an input type, and online input, email and fax are examples of Applicant's **input type**.

11. Regarding **claim 10, 21, and 32, Richey** teaches:

- the multiple user-selectable links comprise a first link that facilitates communication with a human to address a first question type, and a second link that facilitates machine-to-machine communication to address a second question type without requiring human intervention [0034];

12. Regarding **claims 11, 22, and 33, Richey** teaches:

- the user interface is integrated with a workflow or business process management tool to enable modifying routing of user requests [see at least 0132 to 0146]. Examiner interprets Imaging/Documentation Management, Fraud Reporting and Feedback, Reporting and Monitoring as examples of Applicant's **business process management tools**.

13. Regarding **claims 20 and 31, Richey** teaches:

- the user device is adapted to present an online form for a line item, the online form to receive user-entered text to direct to a user-selected one of the multiple user-selectable links [see at least 0126 to 0131]. Examiner interprets *questionnaire* as analogous to Applicant's **online form**.

14. Regarding **claim 30, Richey** teaches:

- The multiple user-selectable links comprise a plurality of electronic mail addresses [see at least 0137].

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 2, 3, 13, 14, 24, and 25 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Richey** in view of **Thomas et al** (USPub. No. 2004/0236660).

17. Regarding **claims 2, 3, 13, 14, 24, and 25**, **Richey** does not explicitly disclose:

- processing an extensible Markup Language (XML) representation of each of the individual line items to create the line-by-line user interface, wherein the XML representation includes tags within which the multiple user-selectable links per line item are defined.
- the XML representation corresponding to a particular line item identifies a corresponding database from which data associated with the particular line item can be verified.

However, **Thomas** teaches a multiparty transaction system for managing the payment of invoices where approval of multiple parties is [sic] involved [Abstract]. He further discloses tagging data using some sort of tagging or data file structure such as extensible Markup Language (XML) [0056].

Therefore it would have been obvious to a person having ordinary skill in the art at the time of **Richey's** disclosure to use XML tags as taught by **Thomas** because line items may be viewable in an Internet browser or be coded to be read and input directly to a database without manual entry. XML documents also allow hierarchical data to be sent in a single document [**Thomas** 0056].

18. Claims 4, 15, and 26 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Richey** in view of **Lam et al** (USPub. No. 2003/0220843).

19. Regarding **claims 4, 15, and 26**, **Richey** does not explicitly disclose:

- for a line item, the multiple user-selectable links comprise a first link to question the line item, a second link to dispute the line item, and a third link to correct the line item.

However, **Lam** teaches a method of facilitating resolution of a dispute between a buyer and a seller in an electronic payment system [Abstract]. He further discloses dispute logic which handles a variety of actions related to the dispute including editing the disputed portion of the invoice, chatting with the appropriate personnel at the seller regarding the disputed invoice, rejecting the invoice, canceling the invoice, finalizing the invoice and making a partial payment of the invoice [0037]. These functions are handled by edit logic 119, chat logic 120, reject logic 121, cancel logic 122, finalize logic 123 and partial pay logic 124 respectively [see at least 0035 to 0040]. Examiner interprets edit logic 119, chat logic 120, reject logic 121, cancel logic 122, finalize logic 123 and partial pay logic as indicative of Applicant's multiple **links** to resolve **line item disputes**.

Therefore it would have been obvious to a person having ordinary skill in the art at the time of **Richey's** disclosure to use multiple links to question, dispute and correct invoices as taught by **Lam** because doing so automates the system and divides the processes into discrete logic steps.

20. Claim 6 and 8 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Richey** in view of **Zimmer et al** (USPub. No. 2003/0051226).

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21. Regarding **claim 6**, **Richey** does not explicitly disclose:

- the user device comprises a mobile communications device.

However, **Zimmer** teaches a system and method relating to billing of services in a telecommunication systems which comprise servers of service providers and billing servers, which provide billing services [0001]. He further discloses that a user interface devices can include various data communication devices, such as wireless hand held devices, mobile computers, pagers, and other PDAs for accessing the data sources [see at least 0042].

Therefore it would have been obvious to a person having ordinary skill in the art at the time of **Richey's** disclosure to use mobile communication devices such as mobile computers, pagers, and PDAs as taught by **Zimmer** because doing so makes the system and method versatile over various communications devices.

22. Regarding **claim 8**, **Richey** does not explicitly disclose:

- the line-by-line user interface is presented by an interactive voice response unit.

However, **Zimmer** teaches using a voice activated device to input data and other commands into the processor [see at least 0784].

Therefore it would have been obvious to a person having ordinary skill in the art at the time of **Richey's** disclosure to use voice activated devices to input data as taught by **Zimmer** because doing so makes the system and method automated and easier to use.

23. Claims 17 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Richey** in view of **Lam** and **Official Notice**.

24. Regarding **claims 17 and 28, Richey** does not explicitly disclose:

- for a line item, the multiple user-selectable links comprise a **first link** to question an amount of a product or a service associated with the line item and a **second link** to question a **billing rate** associated with the line item.

However, **Lam** discloses dispute logic which handles a variety of actions related to the dispute including editing the disputed portion of the invoice, chatting with the appropriate personnel at the seller regarding the disputed invoice, rejecting the invoice, canceling the invoice, finalizing the invoice and making a partial payment of the invoice, as discussed above [see at least 0035 to 0040]. Examiner takes **Official Notice** that one having ordinary skill in the art at the time of **Richey's** and **Lam's** disclosures would be aware of adding additional links to question the amount, or billing rate or any other characteristic associated with the purchase of a produce. By doing so, billing issues can be further broken down to more specific issues, much like the dispute logic that **Lam** discloses regarding processing the billing dispute.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ED BAIRD whose telephone number is (571)270-3330. The examiner can normally be reached on Monday - Thursday 7:30 am - 5:00 pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
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